

## REMARKS

Claims 1-10 are pending in the present application. By this amendment, claim 10 is amended. Applicants respectfully request reconsideration of the present claims in view of the following remarks.

### I. Prior Art Rejections

#### Claim Rejections Under 35 U.S.C. §103(a)

Claims 1-10 are rejected under 35 U.S.C. §103(a) as being unpatentable over "Systems Architecture and Techniques for Gesture Recognition in Unconstraint Environments", Virtual Systems and Multimedia, IEEE 1997, pages 137-146 to Kohler (hereinafter "Kohler") in view of United States Patent No. 5,086,385 to Launey et al. (hereinafter "Launey"). This rejection is respectfully traversed.

Claim 1 recites that an apparatus for operating a home appliance comprises an image receiver for receiving a continuous stream of gesture images of a gesture performed within a field of view of the image receiver, an image processor that receives a video signal corresponding to the continuous stream of gesture images and recognizes the gesture based on information contained in the video signal, an operations processor coupled to the image processor for identifying a home appliance operation associated with the gesture, and an appliance controller coupled to the operations processor for causing the home appliance operation to be performed. Likewise, claim 9 recites a home appliance that comprises the same features of claim 1. Similarly, as amended, claim 10 recites that a method for operating a home appliance comprises receiving a continuous stream of gesture images of a gesture performed within a field of view of an image receiver; recognizing the gesture based on information contained in the continuous stream of gesture images; identifying a home appliance operation associated with the gesture by comparing the recognized gesture with each of a predefined set of gestures, wherein each of the predefined gestures is associated with a respective home appliance operation; and causing the home appliance operation to be performed.

Kohler does not disclose, teach, or suggest an apparatus for operating a home appliance or a home appliance comprising an image processor that receives a video signal

corresponding to a continuous stream of gesture images and recognizes the gesture based on information contained in the video signal. On the contrary, Kohler discloses a gesture recognition system including a subsystem Segmentation that separates the foreground from the background for each object and normalizes the objects, and a subsystem Object Recognition and Tracking for detecting a moving object, tracking it, and identifying the object. Thus, Kohler fails to disclose, teach, or suggest an apparatus for operating a home appliance or a home appliance comprising an image processor that receives a video signal corresponding to a continuous stream of gesture images and recognizes the gesture based on information contained in the video signal.

Moreover, Kohler does not disclose, teach, or suggest a method for operating a home appliance comprising identifying a home appliance operation associated with a gesture by comparing the recognized gesture with each of a predefined set of gestures, wherein each of the predefined gestures is associated with a respective home appliance operation. Instead, Kohler discloses a method for controlling devices by gestures by pointing to the device to be controlled and selecting it by using the pointer click gesture sequence and then using additional gesture sequences for further control of the device. Kohler further discloses that the same gesture sequence is used to control similar tasks for different devices. Thus, Kohler fails to disclose, teach, or suggest a method for operating a home appliance comprising identifying a home appliance operation associated with a gesture by comparing the recognized gesture with each of a predefined set of gestures, wherein each of the predefined gestures is associated with a respective home appliance operation.

The Office Action relies on the teaching of Launey to allegedly overcome the above-identified deficiencies of the teaching of Kohler. However, like the teaching of Kohler, the teaching of Launey does not disclose, teach, or suggest the following claim features specified in independent claims 1, 9, and 10 of the present invention: (1) an image processor that receives a video signal corresponding to a continuous stream of gesture images and recognizes the gesture based on information contained in the video signal (claims 1 and 9); and (2) a method for operating a home appliance comprising identifying a home appliance operation associated with a gesture by comparing the recognized gesture with each of a predefined set of gestures, wherein each of the

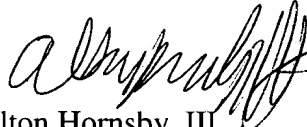
predefined gestures is associated with a respective home appliance operation (claim 10). On the contrary, Launey discloses an expandable home automation system that uses touchscreens to input commands for appliances and subsystems within a home by touching the touchscreen or voice recognition to input commands for appliances and subsystems. Therefore, like Kohler, Launey fails to disclose, teach, or suggest the system and method as embodied by independent claims 1, 9, and 10 of the present invention.

Moreover, Applicants respectfully submit that one of ordinary skill in the art would not have combined the teaching of Kohler with the teaching of Launey absent the impermissible use of hindsight. The only motivation for such a combination of teachings has been deemed from a review of Applicants' invention, not from what is being taught or suggested from the cited art. For at least this reason, Applicants respectfully submit that the combination of the teaching of Kohler with the teaching of Launey is improper.

### CONCLUSION

For at least these reasons, Applicants assert that the pending claims 1-10 are in condition for allowance. The Applicants further assert that this response addresses each and every point of the Office Action, and respectfully requests that the Examiner pass this application with claims 1-10 to allowance. Should the Examiner have any questions, please contact Applicants' undersigned attorney at 404.954.5037.

Respectfully submitted,  
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